

ORDINANCE BY

September 17, 2001

AUTHORIZING THE MAYOR TO GRANT AN ADDITIONAL 20' X 30' PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT AREA TO BELL SOUTH TELECOMMUNICATIONS, INC., FOR THE PURPOSE OF INSTALLING A TELECOMMUNICATIONS CABINET AND PROVIDING ADDITIONAL SPACE FOR AN UNDERGROUND CONTROLLED ENVIRONMENTAL VAULT IN THE CITY'S MADDOX PARK, SO AS TO ENHANCE THE TELECOMMUNICATIONS CAPABILITIES WITHIN THE BANKHEAD HIGHWAY COMMUNITY AND SURROUNDING AREA, LOCATED IN LAND LOT 113 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; AND TO PAY \$20,000.00 FOR SAID EASEMENT AREA TO BE DEPOSITED INTO TRUST ACCOUNT # 3P02 444101 N21D11B69999 FOR GROUND/SITE IMPROVEMENTS ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, BUREAU OF PARKS; AND FOR OTHER PURPOSES.

Whereas, Bell South Telecommunications, Inc. requested an easement in the City's Maddox Park in March, 1993, for the purpose of installing a Digital Loop Carrier Equipment Service Cabinet, and the City Council did authorize the adoption of the Ordinance to effectuate the request on March 18, 1993 and the Mayor approved the same legislation on March 25, 1993 (copy of Ordinance attached); and

Whereas, Bell South Telecommunications, Inc. is currently requesting the City of Atlanta, Department of Parks, Recreation and Cultural Affairs, Bureau of Parks to grant an additional permanent construction and maintenance easement for the purpose of installing a Telecommunications Cabinet and additional space for an Underground Controlled Environmental Vault in the City's Maddox Park, so as to enhance the telecommunications capabilities within the Bankhead Highway community and surrounding area, located in Land Lot 113 of the 14th District of Fulton County, Georgia; and

Whereas, Bell South Telecommunications, Inc. will be responsible for the payment of all costs associated with the construction, maintenance and installation of a Telecommunications Cabinet and the Underground Controlled Environmental Vault; and

Whereas, a permanent construction and maintenance easement is required to install a Telecommunications Cabinet and Underground Controlled Environmental Vault in Land Lot 113 of the 14th District of Fulton County, Georgia; and

Whereas, the Bureau of Parks will receive \$20,000.00 for this easement that will be deposited into Trust Account # 3P02 444101 N21D11B69999 for Ground/Site Improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
as follows:

Section 1: That the Mayor be and is hereby authorized to grant an additional 20' X 30' permanent construction and maintenance easement area to Bell South Telecommunications, Inc., for the purpose of installing a Telecommunications Cabinet and providing additional space for an Underground Controlled Environmental Vault in the City's Maddox Park, so as to enhance the Telecommunications capabilities within the Bankhead Highway community and surrounding area, located in Land Lot 113 of the 14th District of Fulton County, Georgia.

Section 2: That the Acting Commissioner of the Department of Parks, Recreation and Cultural Affairs acting as the Mayor's designee, is authorized to review and approve the terms and conditions of the additional permanent construction and maintenance easement area as described and delineated on the drawing attached hereto as Exhibit "A", and made a part hereof by reference (approximately 600 square feet).

Section 3: That Bell South Telecommunications, Inc. will be responsible for the payment of all costs associated with this additional permanent construction and maintenance easement.

Section 4: That Bell South Telecommunications, Inc. will pay the Bureau of Parks \$20,000.00 for the easement area to be deposited into a Trust Account # 3P02 444101 N21D11B69999.

Section 5: That the City Attorney is hereby directed to review and approve the terms and conditions of the permanent construction and maintenance easement prior to execution by the Mayor.

Section 6: That all Ordinances and parts of Ordinances in conflict herewith be and the same hereby are repealed.



BellSouth Telecommunications, Inc.
Network Engineering
485 Oak Place
335
Atlanta, GA 30349

June 15, 2001

Mr. Jay Lowery
Department of Parks, Recreation and Cultural Affairs
City Hall East, 8th Floor
675 Ponce de Leon Ave., NE
Atlanta, Georgia 30308

Re: Additional easement for BellSouth Telecommunication, Inc. at Maddox Park

Dear Mr. Lowery:

We appreciate the City of Atlanta's Department of Parks, Recreation and Cultural Affairs cooperation with BellSouth as we work to meet the needs of our customers. BellSouth accepts your offer and agrees to pay twenty thousand dollars (\$20,000) for an additional 20' x 30' easement area adjacent to our existing easement in Maddox Park. It is our understanding that the proceeds from the acquisition will be placed in The Revenue For Park Land Account.

Our agent, Joe Neighbors, will be in contact with you regarding the execution of the easement by the City of Atlanta. As soon as the easement has been signed, Mr. Neighbors will deliver BellSouth's check in exchange for the executed document.

Again we appreciate your cooperation. Should you have any questions, please feel free to contact Joe Neighbors (706-543-3387) or me (404-559-7919).

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl M. Lee".

Cheryl M. Lee
Specialist



J. B. Neighbors & Associates, Inc.

July 2, 2001

Mr. Jay Lowery

Department of Parks, Recreation and Cultural Affairs
City Hall East, 8th Floor
675 Ponce de Leon Ave., NE
Atlanta, GA 30308

Re: Additional Easement for BellSouth Telecommunications, Inc.,
at Maddox Park, City of Atlanta

Dear Jay:

Enclosed is a letter from BellSouth Telecommunications, Inc., accepting the City of Atlanta's offer of \$20,000.00 for the additional easement at Maddox Park as well as an easement, with attached plat showing and describing the easement area, from the City of Atlanta to BellSouth.

Please process the easement through your channels for execution by the Mayor. As soon as it has been signed and witnessed, please give me a call and I shall bring the BellSouth check for \$20,000.00 to you and exchange it for the easement.

If you have any questions, please give me a call at 706-543-3387 or page me at 1-800-572-6895. I appreciate your attention to this matter.

Sincerely,


Joe B. Neighbors III

copy to: Cheryl M. Lee
BellSouth Telecommunications, Inc.

#23

01-0-1296

(Do Not Write Above This Line)

ORDINANCE BY

Deborah Anderson

AUTHORIZING THE MAYOR TO GRANT AN ADDITIONAL 20' X 30' PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT AREA TO BELLSOUTH TELECOMMUNICATIONS, INC., FOR THE PURPOSE OF INSTALLING A TELECOMMUNICATIONS CABINET AND PROVIDING ADDITIONAL SPACE FOR AN UNDERGROUND CONTROLLED ENVIRONMENTAL VAULT IN THE CITY'S MADDOX PARK, SO AS TO ENHANCE THE TELECOMMUNICATIONS CAPABILITIES WITHIN THE BANKHEAD HIGHWAY COMMUNITY AND SURROUNDING AREA, LOCATED IN LAND LOT 113 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; AND TO PAY \$20,000.00 FOR SAID EASEMENT AREA TO BE DEPOSITED INTO TRUST ACCOUNT #3P02 444101 N21D11B69999 FOR GROUND/SITE IMPROVEMENTS ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, BUREAU OF PARKS; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 8/6/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- ☐ Consent ☐ V Vote ☐ RRC Vote

CERTIFIED

MAYOR'S ACTION

**Large
document
attached**